

### **REMARKS/ARGUMENTS**

Reexamination of the captioned application is respectfully requested.

#### **A. SUMMARY OF THIS AMENDMENT**

By the current amendment, Applicants basically:

1. Cancel claims 10 without prejudice or disclaimer.
2. Amend claim 63 to include the limitations of (now cancelled) dependent claim 10.
3. Editorially amend dependent claim 3.
4. Amend the dependency of claim 12.
5. Respectfully traverse all prior art rejections.

#### **B. PATENTABILITY OF THE CLAIMS**

Claims 2- 6, 8 – 12, and 63 stand rejected under 35 USC §102(e) as being anticipated by US Patent 7,056,096 to Takagi et al. All prior art rejections are respectfully traversed for at least the following reasons.

Independent claim 63 has been amended to recite limitations of former dependent claim 10, e.g., that the waveform shape data is prepared by solving a waveform equation, the waveform equation having coefficients determined to optimize at least one operational parameter of the pump.

US Patent 7,056,096 to Takagi et al gives no clue or suggestion whatsoever as to how Takagi determines what values to store in ROM 22b. Takagi's CPU 22c is not said to program ROM 22b, but merely to generate a trigger signal with a cycle apparently determined with reference to a value stored in ROM 22b (see col. 11, lines 7 – 44).

Moreover, with regard to dependent claims 9 and 12, US Patent 7,056,096 to Takagi et al fails to teach or suggest waveform shape data prepared to optimize plural operational parameters of a pump.

US Patent 7,056,096 to Takagi et al therefore fails to render Applicants' independent claim 63 (and claims dependent thereon) unpatentable.

### **C. MISCELLANEOUS**

In view of the foregoing and other considerations, all claims are deemed in condition for allowance. A formal indication of allowability is earnestly solicited.

The Commissioner is authorized to charge the undersigned's deposit account #14-1140 in whatever amount is necessary for entry of these papers and the continued pendency of the captioned application.

Should the Examiner feel that an interview with the undersigned would facilitate allowance of this application, the Examiner is encouraged to contact the undersigned.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

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